the officers was a trespass. *Stewart* v. *Wallis,* 30 Barbour 344; *State* v. *Jersey City,* 54 N. J. L. 49; *Paret* v. *City of Bayonne,* 39 N. J. L. 559.

EVIDENCE—WIFE AS WITNESS AGAINST HUSBAND.—Where it was sought to introduce the testimony of a wife against her husband indicted for the murder of his infant child, *held* the wife was not a competent witness. *State* v. *Woodrow* (1905), — W. Va. —, 52 S. E. Rep. 545.

The child, which was fourteen months old, was sitting on his mother's lap and the same shot killed the child and injured the mother. There is a strong dissenting opinion in the case. It is a well recognized rule in criminal actions that the wife shall not be compelled to testify against her husband. An exception exists where the offense is alleged to have been committed by him upon her. It is difficult to determine exactly what offenses are included in this exception. Where the act is one of personal violence to the wife, she is a competent witness. *Whipp* v. *State,* 34 Ohio St. 87. It has been held that the wife is competent where the husband is indicted for bigamy. *State* v. *Sloan,* 55 Ia. 217, also for adultery. *Lord* v. *State,* 17 Neb. 526. Contra, *People* v. *Quanstrom,* 93 Mich. 254. *Compton* v. *State,* 13 Tex. App. 271. In *Bassett* v. *United States,* 137 U. S. 496, it was held that the wife was not a competent witness against her husband on trial for polygamy. The weight of authority seems to be that the offense in the main case was not upon the wife, within the meaning of the exception, and that the case was rightly decided.

GARNISHMENT—JURISDICTION—SITUS.—Deer, living in Alabama, sued there for wages earned and payable there. Defendant alleged in defense that it had been charged as his garnishee for these wages in a suit against him in Florida, with notice of which he was served by publication as required by the Florida statutes, and that it had paid the garnished sum into court before this suit was brought. The railroad company was permanently located in business in Florida, and liable to be sued there, but apparently not incorporated under the laws of that state. The Supreme Court of Alabama considered the payment under the garnishment to be no defense, because the Florida court had no jurisdiction. On appeal to the United States Supreme Court, this judgment is reversed. *Louisville & N. R. R. Co.* v. *Deer* (1906), 26 Sup. Ct. Rep. 207.

The opinion is short and is based entirely on *Harris* v. *Balk,* 198 U. S. 215, 49 L. ed. 10, 23, 25 Sup. Ct. Rep. 625, reviewed 4 MICH. LAW REVIEW 57. This case seems to settle the question as to jurisdiction in garnishment when the garnishee is a foreign corporation.

MASTER AND SERVANT—CONTRACT OF EMPLOYMENT—WHETHER FOR INDEFINITE PERIOD—DAMAGES.—Defendant contracted to employ plaintiff as foreman at $125 per month "for the time the work undertaken by the defendant at Manila should last," and without cause refused to permit him to enter upon such service. The court having previously considered (in 31 Wash. 177) that a good cause of action was stated, the question now is as to the admissibility of evidence, showing the length of time that the work at Manila